

1 **DAVID Z. CHESNOFF, ESQ.**
2 Nevada Bar No. 2292
3 **RICHARD A. SCHONFELD, ESQ.**
4 Nevada Bar No. 6815
5 520 South Fourth Street
6 Las Vegas, Nevada 89101
7 Tel.: [702] 384-5563
8 dzchesnoff@cslawoffice.net
9 rschonfeld@cslawoffice.net
10 Attorneys for Defendant,
11 EVAN RAY ATKINSON

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

* * * *

10 **UNITED STATES OF AMERICA**)
11) **CASE NO. 3:22-cr-00004-ART-CSD**
12 **Plaintiff,**)
13 **vs.**)
14 **EVAN RAY ATKINSON,**)
15 **Defendant.**)
16 _____)

17 **UNOPPOSED MOTION TO REMOVE KENNETH GLADSTONE AS THIRD PARTY**
18 **CUSTODIAN, TO COMMENCE THE APPOINTMENT OF EVANGELINA**
19 **ATKINSON AS THIRD PARTY CUSTODIAN, AND FOR MR. ATKINSON TO BE**
20 **RELEASED FROM ZAKS HOUSE TREATMENT TO EVANGELINA ATKINSON**

21 **COMES NOW**, Defendant Evan Ray Atkinson, by and through his undersigned counsel
22 Richard A. Schonfeld, and hereby moves the Honorable Court for an Order that Kenneth Gladstone
23 be removed as Third Party Custodian; that Evangelina Atkinson commence her Third Party Custody
24 over Mr. Atkinson, and that Mr. Atkinson be released from Zaks House treatment to Evangelina
25 Atkinson's third party custody.
26
27
28

1 This Motion is based upon the following:

2 1. Defendant Atkinson is currently in an in-patient substance abuse treatment program
3 at Zaks House and was previously enrolled for in-patient treatment at Fred Brown. Mr. Atkinson
4 has been enrolled in said treatment since his release on Bond in this case;
5

6 2. Senior United States Pretrial Services Officer Misty Sanchez has verified that Mr.
7 Atkinson has done well in his treatment and she is therefore satisfied that Mr. Atkinson can now be
8 discharged from the treatment program at Zaks House;
9

10 3. The Court previously appointed Evangelina Atkinson to be Third Party Custodian
11 over Mr. Atkinson upon his release from treatment, with his place of residence to be in Arkansas
12 with Evangelina Atkinson. Accordingly, Dr. Atkinson would now accompany Mr. Atkinson upon
13 release from the program to her residence in Arkansas;
14

15 Mr. Atkinson further requests that Evangelina Atkinson be permitted to bring him to Court
16 appearances in Nevada, provided that Mr. Atkinson first receives permission from United States
17 Pretrial Services.

18 AUSA Andolyn Johnson has no opposition to this Motion.

19 **DATED** this 16th day of June, 2022.

20 **CHESNOFF & SCHONFELD**

21 /s/ Richard A. Schonfeld

22 DAVID Z. CHESNOFF, ESQ.

23 Nevada Bar No. 2292

24 RICHARD A. SCHONFELD, ESQ.

25 Nevada Bar No. 6815

26 520 South Fourth Street

27 Las Vegas, Nevada 89101

28 Attorney for Defendant

Evan Ray Atkinson

ORDER

For good cause shown as reflected in the Defendant's Motion, the Court hereby **ORDERS** that Kenneth Gladstone be removed as Third Party Custodian over Evan Atkinson at the point in time that Evangelina Atkinson picks Evan Atkinson up from the Zaks House treatment facility. Evangelina Atkinson will then commence her Third Party Custody over Mr. Atkinson.

Evangelina Atkinson will be permitted to bring Mr. Atkinson to Court appearances in Nevada, provided that Mr. Atkinson first receives permission from United States Pretrial Services.

IT IS SO ORDERED.

DATED this 16th day of June, 2022.



UNITED STATES MAGISTRATE JUDGE

Respectfully submitted:

/s/ Richard A. Schonfeld

RICHARD A. SCHONFELD, ESQ.

Attorney for Defendant